

# **Exploring the production and utilisation of pre-sentence reports (PSRs) in the youth justice system**

**Technical annex**

**May 2024**

Ipsos UK and Manchester Metropolitan University





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# Annex 1 – PSR Methodology

## PSR Analysis

The PSR analysis sought to address Objective 1: Understand commonalities and differences in PSRs associated with custodial or community outcomes for Black children compared with White children.

This section provides an overview of:

- The sampling processes for selecting YJSs and PSRs;
- The methodology for analysing the PSRs through two systematic processes: quality analysis of PSRs; and linguistic analysis of PSRs examining language, comprehensibility and meaning; and
- How to interpret the findings of the analyses acknowledging and understanding the limitations of the sampling processes and methodology

## Sampling of YJS and PSRs

A total of 96 PSRs were sampled across 5 YJSs which included at least one YJS from the YJB designated English regions of: London; Midlands, North-West; and South and East.

The sampled YJSs were drawn from a long list of 33 YJSs, stratified by English region. The YJSs which were included in the long list had at least 60 cases in the sentenced cohort for black children and for white children over a four-year period from 2018-19 to 2021-22, based on data provided by the YJB.

No YJSs were included in the long list from Wales or North-East England because they did not meet the sentenced cohort criteria.

Based on this sampling framework, the intention was to sample from 4 YJSs, asking each YJS to provide an initial list of the most recent cases where a *written all options PSR* was requested (by sentencers) for 24 black children and for 24 white children.

The research team would then randomly select 12 cases from the initial lists to produce a YJS sample of 12 PSRs for black children and 12 PSRs for white children, i.e. a total of 24 PSRs from each YJS for the analysis.

This final sampling framework was agreed with the YJB following several iterations (of the framework) and an extensive period of consultation, discussion and analysis by the research team including:

- discussion with YJB policy and research staff;
- discussion with YJB regional managers;
- obtaining insight into PSR and sentencing practice from an experienced youth magistrate who was a Presiding Justice in the youth courts; and

- a review by the research team of the data provided by the YJB into the number of children who received court sentences by ethnicity for the 4 years from 2018-19 to 2021-22.

The intention of the sampling framework was to arrive at a total of 96 written all options PSRs (which could include custody) requested by sentencers, of which 48 PSRs were for Black children and 48 PSRs were for White children.

An initial short-list of 4 YJSs (one from each region) was randomly selected by the research team with a further randomly selected back-up list (one from each region).

The initial short-list of YJSs were firstly approached by the YJB to ascertain their interest, capacity and capability to participate in the research. Once this was affirmed, the research team followed-up with each YJS to provide details of what participation entailed and to assess the feasibility of obtaining an initial sample of 48 case numbers for written all options PSRs requested by sentencers for 24 black children and 24 white children from 2018-19 to 2021-22.

At this stage of the research it became apparent (from consulting with the YJSs) that it was not going to be possible in all areas to: a) obtain an initial sample of 48 PSRs from which 24 would be randomly selected for analysis; and b) that some YJSs from the initial short-list were not going to be able to provide 24 PSRs for analysis.

Following consultation with the YJB, one YJS from the back-up list was approached to address the shortfall in cases from the YJS that was not able to provide 24 PSRs. It was agreed that the envisaged randomisation process would be implemented where possible, given the limited number of suitable PSRs. Where it was used, the sample was stratified by ethnicity and then each case was allocated a random number. The cases were then sorted by the random numbers and the first 12 were chosen for inclusion in the study.

The final approach is set out in the table below.

Area 1	Sent a list of 48 cases (24 Black, 24 White) from which 24 PSRs were selected at random (12 from each ethnic group) and 23 were included in the analysis.
Area 2	Sent a list of 45 records (24 Black, 21 White) from which 24 PSRs were selected at random (12 from each ethnic group) and included in the analysis.
Area 3	Sent a list of 48 cases from which 24 PSRs were originally selected at random. The area were able to redact fewer PSRs within the time available so, for practical reasons, 19 were analysed.
Area 4	Sent all the available PSRs that met the selection criteria (7 in total of which 6 were analysed)

Area 5	Sent a list of 46 records (24 Black, 22 White) from which 24 PSRs were selected at random (12 from each ethnic group) and included in the analysis
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The operationalised sampling process for YJSs and PSRs while adhering to the principles of the sampling framework, of necessity became opportune based on availability of PSRs which met the PSR sampling criteria.

It should be noted that the initial intent was to also include concordance/non-concordance between the PSR sentencing proposal and actual sentencing outcome (see Appendix XX). However, given the limited numbers of PSRs which met the other PSR sampling criteria, it was agreed that the concordance sampling criteria would not be implemented. Instead, YJSs were asked to provide concordance information.

A total of 96 PSRs were provided for analysis from 5 YJSs (with at least one from each of the 4 sampled English regions); with the numbers sampled from each YJS ranging from 24 PSRs (for 12 Black children and 12 white children) to 6 PSRs (for 3 Black children and 3 White children).

## Methodology: Quality Analysis

Our approach to analysing the PSRs based on quality criteria was informed by: the approach adopted by: Raynor, Gelsthorpe and Tisi's (1995) study which reported the development of a tool developed to assess the quality of probation PSRs; and the research team's past experience of developing and using a tool to assess the quality of PSRs for intensive community orders for adults on probation.

### Assessment tool

The MMU research team developed an assessment tool using the quality criteria set out in the YJB's 2019 Guidance on producing PSR reports. The PSR dimensions that the tool assessed were:

- Structure and quality
- Seriousness
- Sources of information
- Offence analysis
- Risk assessment
- Dangerousness assessment
- Assessment of child
- Child nearing 18<sup>th</sup> birthday

- Conclusion

How these dimensions map across to the YJB 2019 guidance is included in the table below. Each of these dimensions comprised between 1 to 11 questions which reflected the varying complexity of the guidance. The associated questions are included in the relevant sections of the main report.

**Table Annex 1: Dimensions of the PSR analysis tool and alignment to YJB PSR guidance (2019)**

<b>PSR analysis tool dimension</b>	<b>YJB PSR Guidance paragraph number and summary</b>
Structure and quality	<i>2.2 Writing a pre-sentence report</i> <i>3.2 Quality</i>
Seriousness	<i>2.6 Indication of seriousness</i>
Sources of information	<i>2.5 Sources of information</i>
Offence analysis	<i>2.7 Offence analysis</i>
Risk assessments	<i>2.11 Risk assessment</i>
Dangerousness assessment	<i>2.12 Dangerousness assessment</i>
Young Person Assessment	<i>2.9 Young person assessment</i> <i>2.10 Consider diversity</i>
Child nearing 18 <sup>th</sup> birthday	<i>2.14 Preparing a pre-sentence report on a child nearing their 18th birthday</i>
Conclusion	<i>2.13 Conclusion and proposal for sentencing</i>

Given the time period over which the PSRs were to be sampled (from 2018/19 to 2021/22) it was agreed that using the 2019 YJB guidance was more appropriate than the updated YJB guidance on PRSs produced in October 2022. The research team undertook a comparison of the two versions of the guidance. Overall, there was very little difference between the two in relation to the dimensions of the tool and scored questions detailed.

The development of the assessment tool underwent several iterations which responded to feedback from the MMU and Ipsos MORI research teams and the YJB; and testing of the tool on an initial sample of PSRs.

Following testing, it was agreed that the questions were scored as set out in Table Annex2.

## Table Annex2: Scoring key

	Score
Yes – where the question was fully met by the PSR	2
Partial - where the question was partially met by the PSR;	1
N/A – where the question was not applicable	1
No - where the question was not met.	0

The 96 PSRs were assessed and scored by a team of 3 MMU researchers. The PSRs were anonymised and assessed ‘blind’ with demographic information and other data that could have identified the subject of the PSR or their ethnicity redacted. This was to avoid bias in the assessment of the PSRs. Full details of the redaction process is provided in Appendix 2.

### Redaction process

The following guidance (see box) was provided to YJSs to inform the redaction process.

#### Box 1: Redaction process

The following items to be redacted by YJSs prior to sending on the PSRs to the YJB include:

**Name**

**Date of birth**

**Date of crimes**

**Date of sentencing\***

**Address, Postcode**

**Youth Offending Service office, court, area and any other administrative geography\***

**Telephone numbers**

**Email and other contact details**



**School/ college etc.** – replace this with generic label, e.g. instead of St Catherine’s High School – replace with secondary school.

**Names of other people:** victims, associates, family, friends – replace with “named person”

**Names of organisations/ workplaces:** including employer, projects related to criminal justice – replace with a generic label.

**Ethnicity\*** – if ethnicity is explicitly detailed in the form – this needs to be redacted.

*NOTE: The YJB will assess YJS redacted PSRs to see if there are any implicit clues as to ethnicity then if appropriate remove them, making it ethnically generic. E.g. if organisation mentioned is Black-E, then change to ‘community arts organisation’.*

*However, this approach may also risk removing useful contextual information, for example that might indicate that difference and diversity has been considered when writing the PSR. This may need to be judgement call by the YJB made in consultation with the research team.*

*Equally, many of the PSRs for Black children included place of birth outside the UK. The place of birth was redacted so the reviewer did not know if it was another place in the UK or another country. Mentions of specific religious activities or festivals were redacted for both Black and White children.*

Ipsos retained the ethnicity metadata in a separate file and replaced it with a code where appropriate for the research team, with the metadata file provided to the research team after the assessment of PSRs has been completed.

Each PSR went through a three-step redaction process:

- Each YJS followed the instructions above so anonymised data was sent to YJB
- YJB checked the redaction and made further changes to ensure the data shared with the team was anonymised
- Ipsos then checked the PSRs, primarily to ensure no personal data was transferred between Ipsos and MMU, but also to complete any redaction of text that could indicate the ethnicity of a child.

### Inter-rater reliability testing

Inter-rater reliability testing was conducted on a sample of PSR assessments undertaken by the research team. There was general consistency in scores between the researchers.

Inter-rater reliability testing was conducted between Researcher 1 and Researcher 2 who jointly assessed an initial batch of 4 PSRs. There was consistency in scores between the two researchers, in the few instances of non-congruent assessment, these were resolved through discussion. This process set a baseline and normative approach to assessing the sub-dimensions. Following this the remaining PSRs were assessed by individual researchers. At the end of the assessment process, a further inter-rater reliability assessment of 14 PSRs was undertaken by Researcher 3, assessing the initial 4 PSRs and a random sample of 5 PSRs assessed by Researcher 1 and 5 PSRs assessed by Researcher 2.

Based on the total scores for the PSRs 10 out of the 14 PSRs showed a 2 point or less difference between the original assessment and the Researcher 3 inter-rater reliability assessment. And 13 out of 14 PSRs showed a difference of four points or fewer, on an average score of 62. This suggests a high degree of agreement between the assessments based on total score.

Assessing the congruency of individual dimensions, Table Annex3 below shows that for 7 of the 8 dimensions, 11 (of 14) PSRs showed no difference or a 1 point difference in score. This suggests a high degree of agreement between the two assessments at the dimensions level. The greatest variation occurred for the offence analysis dimension (with 5 questions) where 6 (of 14) PSRs showed no difference or a 1 point difference, but even here 11 out of 14 PSRs had no more than a 2 point difference.

**Table Annex3: Outcome of inter-rater reliability assessment**

Dimension (and number of questions)	Number of PSRs (of 14) with no difference or a 1 point difference in score
Structure and Quality (11 questions)	11
Seriousness (1 question)	12
Sources of Information (6 questions)	13
Offence Analysis (5 questions)	6
Risk assessments (7 questions)	12
Assessment of child (7 questions)	11
Nearing 18 (2 questions)	11
Conclusion (5 questions)	12

#### Analysis of score data

Scores from **95 PSRs** were included in the score data analysis. One PSR (of the 96) was excluded from the analysis of score data because it was incomplete and therefore an outlier.

The 'meta-data' on demographics and concordance was provided to the research team after the assessments had been completed to facilitate the analysis of the PSR assessment score data.

Given the structure of the PSR assessment data, it was agreed that the research team would use a Qualitative Comparative Analysis (QCA) method to analyse the PSR assessment total scores and individual dimension scores. Using this approach, the assessment score data was explored in order to

find 'the configurations of conditions that lead to specific outcomes' (Hanckel 2021). This analysis method was deployed to discern (where these emerged) patterns of the type indicated by the questions below.

1. Is there a pattern to the extent to which reports adhere to the quality criteria set out in the YJB guidance on PSR writing?
2. Is there a pattern with regards to how any recommendations in the PSR concords with the sentencing outcome, or is this different?
3. Are there patterns in relation to level of detail or 'effort' (if this can be discerned) in the production of reports?
4. What information is included or not included – are there aspects that should be there but are not?

Further details of the methodology are provided in section 6.

### **Methodology: Concordance analysis and quality**

Concordance analysis on data for 95 PSRs was undertaken to determine whether or not the sentenced outcome was the same as the proposed outcome set out in the PSRs.

Three concordance outcomes were considered:

- Concordance – where the sentenced outcome was the same as the proposed outcome;
- Non-concordance:
  - Sentenced outcome was *less severe* than the proposed outcome e.g.: shorter sentence; community sentence instead of custodial sentence;
  - Sentenced outcome was *more severe* than the proposed outcome, e.g: longer sentence; custodial sentence instead of a community sentence

The concordance outcomes were compared to the quality of the PSRs and the ethnicity of the children.

### **Methodology: linguistic analysis**

#### **Sampling**

12 PSRs were sampled (from 96 PSRs) for in-depth readability assessment and discourse analysis; and all 96 PSRs were subjected to corpus analysis.

The process for sampling the 12 PSRs is as follows.

Linking back to research Objective 1, the key variable under investigation was ethnicity. It was therefore necessary to ensure that sampled PSRs were similar in all other regards. PSRs where the child was either nearing 18 or deemed a dangerous offender were therefore disregarded, leaving a total sample of 64 PSRs.

The range of overall quality scores for this subset was 18—78. Since the score of 18 was an outlier, this was removed, to leave a range of 54—78, of which the mean = 65, median = 66, and mode = 67 and this band therefore represents PSRs of “average” quality.

A total of 35 PSRs fell within the range 60—69. 4 of the 5 YJSs provided at least 3 PSRs from a mixture of black and white children that fell within this range. 3 texts were selected which fell closest to the mean quality score from each of these four YJSs, balanced for ethnicity, as in Table 4.2:

**Table Annex4: 12 PSRs selected for in-depth linguistic analysis**

	YJS 1	YJS 1	YJS 2	YJS 2	YJS 3	YJS 3	YJS 4	YJS 4
	<i>Quality Score</i>	<i>Ethnicity</i>	<i>Quality Score</i>	<i>Ethnicity</i>	<i>Quality Score</i>	<i>Ethnicity</i>	<i>Quality Score</i>	<i>Ethnicity</i>
PSR 1	63	Black	64	White	65	Black	64	White
PSR 2	63	White	67	Black	67	Black	66	Black
PSR 3	64	Black	67	White	67	White	67	White

A total of 12 PSRs were selected for in-depth analysis (6 x black children; 6 x white children), which were similar in quality and balanced by area (3 from each of four areas).

All 96 PSRs were used for corpus analysis

### Analysis

The linguistic analysis comprised two components:

- a readability assessment and discourse analysis of the 12 sampled PSRs; and
- corpus analysis of all 96 PSRs

For the readability assessment (ie how easily the PSRs can be read), the statistical tools in Microsoft Word were used. These establish the level of education typically required in order to understand the text. Scored between 1—100, the Flesch Reading Ease indicates the ease with which a text will be understood, where 100 is the highest readability score. These scores are then mapped onto (US) school level grades. The Flesch-Kincaid Grade Level score estimates the approximate reading grade level of text, again mapped onto the US grade level of education. Aiming for Grade 8 ensures that the content could be read by approximately 80% of Americans. Although both sets of scores are situated within the American context, being based on the English language and similar education system, the scores are generalisable to the British context.

A discourse analytical approach was adopted to establish potentially (dis)similar features based on ethnicity. Specifically, each of the 12 PSRs in the sample were read in-depth numerous times, to gain an understanding of the genre and lexical conventions. With this insight, features of interest began to emerge, focussing on the way that quotation was used, how children's accounts were integrated into the PSRs through reporting verbs, the extent to which the PSR author was given—and gave—assurances, and finally, the extent to which admissions were made by the child. Each of the PSRs was coded for these features so that (dis)similarities could be explored.

In order to explore wider variation at the lexical level (i.e. words), corpus analysis (an automated approach which reveals patterns in language) was carried out on the complete set of **96 PSRs**. The software *LancsBox* (version 6.0) was used for this purpose. The benefit is that large bodies of texts can rapidly be searched for features, which can then be quantified for comparison.

# Annex 2 – Qualitative research tools

## Sentencer Topic Guide

Research exploring the production and utilisation of pre-sentence reports (PSRs) in the youth justice system:

### What is this research about?

Ipsos and Manchester Metropolitan University has been commissioned by the YJB to conduct research exploring the production and utilisation of pre-sentence reports (PSRs) in the youth justice system. The aims of this research are to:

- **Develop learning around the processes and decision-making** involved in producing and utilising PSRs in these cases, including the perceived purpose of PSRs.
- **Understand commonalities and differences in PSR reports** associated with custodial or community outcomes for Black children compared with White children.

In order to do this, we will be speaking to sentencers in England and Wales. We are also interviewing people who are involved in producing and quality assuring PSRs. Ipsos are carrying out the interviews and groups and in addition to this Manchester Metropolitan University have analysed 96 PSRs as part of this research.

### Discussion sections

- **Introduction to the research (5 mins)**
- **Introductions (10 mins)**
- **General views of PSRs (15 mins)**
- **Content of PSRs (15 mins)**
- **Receiving a PSR (15 mins)**
- **Thinking about sentencing outcomes & variation in PSRs (15 mins)**
- **Improvements (10 mins)**
- **Thank and close (5 mins)**

### Introduction to the research (5 mins)

It is essential that the interviewer asks for consent to record the group and covers the bullets below. Read or adapt accordingly to ensure that consent is granted from the interviewee:

Thank you for agreeing to take part in this group. My name is [Name] and I am a [Role] at [Ipsos].

The Youth Justice Board has commissioned Ipsos UK together with Manchester Metropolitan University to conduct a study of the production and utilisation of pre-sentence reports (PSRs). The key aims of the study are to develop learning around the processes and decision-making involved in PSRs and to understand any commonalities and differences in reports for Black children and White children. The findings will be used to produce a report which will be peer reviewed and published in 2024.

The research overall will be exploring several different aspects of PSRs. This specific group is focused on learning more about the processes for PSRs and your views on them in general. The rest of the research - including analysis of PSRs - will explore questions about different sentencing outcomes for young people, based on wider research on disparities, including around ethnicity. But please note, that this is not part of this group discussion; we agreed this as part of the approvals we needed to get to carry out the research, so would ask people to keep this in mind and we will of course move us on if discussions do go down this line to keep us on track.'

The group should take 90 minutes, and your participation is voluntary, you can change your mind and decline to answer a specific question, or terminate the entire interview at any time.

Your feedback will only be used for the research study, and your information that you provide will be treated as confidential by Ipsos UK and MMU.

We will report in an anonymised format that will not identify you as an individual, or your region. Any quotes used in the report will not be attributed to you.

We would like to record the discussion for analysis purposes, which will be used to help us accurately collect findings for the research. The recordings will be securely stored and retained by us and destroyed after the completion of the research. **Are you happy for us to proceed?**

## Introductions (10 mins)

### Can you please tell us about yourself and your role

- How long have you worked as a magistrate?
- How much of your time is spent on youth vs adult cases?
- How regularly do you request advice on sentencing, from whom, and in what forms (e.g. oral, fast, and standard form PSRs)
  - How often do you request/receive all options PSRs?

## PSRs in general (15 mins)

**Firstly, how do PSRs compare with other forms of advice you receive relating to sentencing (for example CPS reports, other social work advice etc)?**

**Can you give me a very brief overview of in what circumstances you request a PSR?**

- How do you decide what format to receive the advice in (written or verbal, fast or standard)?
- What are the main differences between verbal and written advice?
- What are the main differences between fast and standard form PSRs

**Can you summarise for me what do you see as the purpose of a Pre Sentencing Report (PSR)?**

- Why are they produced?
- In your opinion, how important are they?
- When / in what circumstances are PSRs particularly helpful / less helpful? Why?

## Content of PSRs (15 mins)

**I'd like to talk a little more about the content of PSRs.**

***I now want everyone to spend a minute thinking about the next question and then I'll ask you all to give your response in the chat / by holding up your fingers in front of the camera...***

**How would you rate the quality of the PSRs you receive on a scale of 1-5 where 1 is low quality and 5 is high quality?**

**Ask everyone to share at once, record their responses. Then ask them to explain why they picked that score.**

Probe for what they mean by quality (factual information, insight, advice etc)

**How consistent are the PSRs you receive (ie in terms of structure, content, quality)?**

- Does each YJS have a standard approach?
- How much do they deviate from this and is it helpful or unhelpful if they do?
  - If some flexibility: when might it be necessary to use more flexibility?



- Are there any common words/phrases/uses of language that you find helpful or unhelpful?

### How clear is the advice they include?

- How often is information you need missing? What do you do in these circumstances?

### If not already covered: How does the quality of advice received in a PSR differ from that provided from other sources (e.g. social workers)?

### Are you aware of the YJB guidance on PSRs?

- If yes, which version (note there's a version from 2019 and a newer version published in 2022)
- If yes, to what extent do you feel that the PSRs you receive follow the guidance?

### IF TIME

**READ OUT:** *The analysis we have undertaken is mainly based on PSRs produced between 2019 and 2022 so our tool and this interview are mainly based on the 2019 YJB guidance.*

### Are you aware of the differences between the 2022 guidance and the 2019 version?

*IF NEEDED: The guidance has been re-written to have a Child First ethos, so the forward focus rather than looking at risk is central to the updated PSR guidance. The re-ordering of sections is a part of the child centred approach – the 2022 guidance states the PSR should have the child's background and circumstances at the beginning of the report, whereas in 2019 the offence analysis came first. There's also an emphasis now on the service engaging the child rather than the child having to comply, and this and many other sections cross refer to the engagement part.*

- Now that I've explained, do you feel that your PSRs are closer to the 2019 or 2022 guidance? Why?
- To what extent do you feel that the revised guidance might change the PSRs you receive? And do you think they will be more or less useful with these changes, or will it make little difference?

### Receiving a PSR (15 mins)

**And let's do the same exercise as we did before. This time, on the same 1-5 scale, how useful are PSRs? 1 – not at all useful, 5 – very useful. First decide for yourself and when we're all ready either hold up your fingers or put your score in the chat.**

Probe for why / why not useful

### What do you do when you receive a PSR?

- What, if any, are the bits that you focus on? Why?

- What, if any, are the bits that you skip over? Why?
- Which bits are most important when thinking about your sentencing decision?

**What 2 or 3 words would you use to describe how you feel about PSRs? Why?**

**How, if at all, has this changed with the adoption of the 2022 guidance?** (if skipped section on 2022 guidance, explain that the YJB issued guidance for writing PSRs in 2019 and updated it in 2022)

- Has anything improved?
- Has anything got worse?

**To what extent, would your answer be different depending on whether you were thinking about an all options PSR? Why/why not?**

How does your response / use of a PSR differ from advice received in other ways? Why?

### **Thinking about sentencing outcomes and PSR variations (15 mins)**

**You said earlier that XYZ is the purpose of PSRs. And to what extent do you feel that PSRs achieve this purpose? Why?**

**IF NOT COVERED: To what extent, if at all, do you feel that PSRs influence sentencing outcomes? Why?**

- Do you monitor congruence rates? What does that show?
- Probe: what else influences sentencing outcomes?

**READ OUT: As I explained, this interview is part of a wider piece of research which has looked at the variation in the quality and content of PSRs in four case study areas [INTERVIEWER NOTE: WE MUST NOT SHARE WHICH OTHER AREAS ARE TAKING PART TO PROTECT IDENTITY OF PARTICIPANTS]. To do this we designed a tool based on the 2019 guidance and looked at the quality of each anonymised PSR on a number of categories.**

**The categories were:**

- **Structure & Quality**
- **Sources of Information**
- **Seriousness**
- **Offence Analysis**
- **Assessment of Child**
- **Risk Assessments**
- **Dangerousness**
- **Nearing 18**
- **Conclusion**

**I will share some emerging findings in a minute, but based on your experience...**

- Which areas of the report would you expect us to see most variation in quality? Why?
- Are there any areas where you believe we would be likely to see less variation? Why?

**In our study we found most variation in**

- Sources of information
- Assessment of child
- Risk assessments

**Can you think of any reason why this would be?**

**As a sentencer, how much does this matter?**

### **Improvements (10 mins)**

**Have you ever provided feedback on advice received? If so, what happened?**

**In your view, what would help you to make the best use of PSRs?**

- Probe: Guidance, templates, examples of good practice
- Probe for specifics: should they be shorter, longer, differently structured?

**And in your view, what else should happen to ensure that children receive fair sentencing outcomes?**

### **Thank and close (5 mins)**

**Finally, is there anything else about PSRs and their production and use that you would like to add?**

## Staff Topic Guide

### What is this research about?

Ipsos and Manchester Metropolitan University has been commissioned by the YJB to conduct research exploring the production and utilisation of pre-sentence reports (PSRs) in the youth justice system. The aims of this research are to:

- **Develop learning around the processes and decision-making** involved in producing and utilising PSRs in these cases, including the perceived purpose of PSRs.
- **Understand commonalities and differences in PSR reports** associated with custodial or community outcomes for Black children compared with White children.

In order to do this, we will be speaking to a Youth Justice Service staff in three areas. We are also hoping to interview a few sentencers and solicitors. Ipsos are carrying out the interviews and in addition to this Manchester Metropolitan University have analysed 96 PSRs as part of this research.

### Questionnaire sections

- **Introduction to the research (5 mins)**
- **Introduction to the participant (5 mins)**
- **Overview of PSRs (10 mins)**
- **Content of PSRs (10 mins)**
- **Writing a PSR (10 mins)**
- **Quality Control (5 mins)**
- **Variation in PSRs (5-8 mins)**
- **Improvements (5-8 mins)**
- **Thank and close (2 mins)**

### Introduction to the research (5 mins)

It is essential that the interviewer asks for consent to record the interview and covers the bullets below. Read or adapt accordingly to ensure that consent is granted from the interviewee:

Thank you for agreeing to take part in this interview. My name is [Name] and I am a [Role] at [Ipsos].

The Youth Justice Board has commissioned Ipsos UK together with Manchester Metropolitan University to conduct a study of the production and utilisation of pre-sentence reports (PSRs). The key aims of the study are to develop learning around the processes and decision-making involved in PSRs and to understand any commonalities and differences in reports for Black children and White children. The findings will be used to produce a report which will be peer reviewed and published in 2024.

As part of this study, we are conducting interviews with stakeholders involved in the process of developing and utilising PSRs. We understand that you are involved in producing PSRs and would love to hear more

about your experiences. During this interview we'll also tell you a bit about the other part of this research which is a tool we have developed with MMU to look at PSRs for Black and White children to see if there are any differences between them.

The interview should take about 45 minutes to an hour, and your participation is voluntary, you can change your mind and decline to answer a specific question, or terminate the entire interview at any time.

Your feedback will only be used for the research study, and your information that you provide will be treated as confidential by Ipsos UK and MMU.

The YJB know which areas have agreed to be part of the research, but we will report in an anonymised format that will not identify you as an individual, or your Youth Justice Service. We will explain we spoke to staff – including in the same areas – but will only refer to the region your YJS is in. Any quotes used in the report will not be attributed to you or your YJS.

We would like to record the discussion for analysis purposes, which will be used to help us accurately collect findings for the research. The recordings will be securely stored and retained by us and destroyed after the completion of the research. **Are you happy for us to proceed?**

### Introduction to the participant (5 mins)

**Can you please tell me about yourself and your role in [NAME] Youth Justice Service**

- How long have you worked there?
- What is your current role? Have you had other roles?
- How much of your time is spent working on PSRs?

### PSRs in general (5 mins)

**Firstly, can you give me a very brief overview of the top-level process for PSRs in your YJS.**

[refer back to individual's role as needed]

- When are they produced and by who? How is it decided who will write the PSR?

**How does the process differ if a PSR is not produced?**

- Probe for impact of verbal advice

**Can you summarise for me what do you see as the purpose of a Pre Sentencing Report (PSR)?**

- Why are they produced?
- In your opinion, how important are they?

### Content of PSRs (10 mins)

**I'd like to talk a little more about the process for producing a PSR.**

**How do you know what to include in a PSR?**

- Does your YJS have a standard approach / template or guidance?

- How much flexibility do you have to deviate from that if you think it is necessary?
  - If some flexibility: when might it be necessary to use more flexibility?
- What do you do if you cannot get the evidence required for a particular part/section?

### **Are you aware of the YJB guidance on PSRs?**

- If yes, which version (note there's a version from 2019 and a newer version published in 2022)
- If no, do you know whether what you base your PSR on takes this guidance into account?

***READ OUT: The analysis we have undertaken is mainly based on PSRs produced between 2019 and 2022 so our tool and this interview are mainly based on the 2019 YJB guidance.***

### **Are you aware of the differences between the 2022 guidance and the 2019 version?**

IF NEEDED: The guidance has been re-written to have a Child First ethos, so the forward focus rather than looking at risk is central to the updated PSR guidance. The re-ordering of sections is a part of the child centred approach – the 2022 guidance states the PSR should have the child's background and circumstances at the beginning of the report, whereas in 2019 the offence analysis came first. There's also an emphasis now on the service engaging the child rather than the child having to comply, and this and many other sections cross refer to the engagement part.

- Now that I've explained, do you feel that your PSRs are closer to the 2019 or 2022 guidance? Why?

### **Writing a PSR (10 mins)**

**IF AWARE OF 2019 GUIDANCE: Can you tell me about what it was like to produce a PSR based on the 2019 guidance?**

**IF NOT AWARE OF 2019 GUIDANCE: Can you tell me about what it is like to produce a PSR?**

- What, if any, were the bits that were easiest to complete (for managers: to review/quality assure)?
- What, if any, were the bits that were most difficult to complete (for managers: to review/quality assure)?
- Which bits take most time (for managers: to review/quality assure)?
- What 2 or 3 words would you use to describe the process of writing a PSR based on the 2019 guidance (e.g. enjoyable, stressful, etc) Why?
- If you have to produce (for managers: to quality assure) a PSR do you put it at the top or the bottom of your to do list – why?

**How, if at all, has this changed with the adoption of the 2022 guidance?**

- Has anything improved?

- Has anything got worse?

**To what extent, would your answer be different depending on whether you were thinking about an all options PSR? Why/why not?**

### Quality Control (5 mins)

**Once a PSR has been drafted, does it go through any quality control / review / sign off process?**

**If yes,**

- **Please describe the review / quality control process**
  - Probe: who does it, when do they do it, how long does it take, spot check or every PSR?
- **What sort of changes are made to the PSR as a result?**
  - Probe: language, content, typos, references
- **What are the benefits and drawbacks of this approach?**

**If no,**

- **Has it always been the case that nobody else reviews the PSR?**
- **Do you think that a quality control / review process would improve the PSRs in your area? Why/ Why not?**

### Thinking about sentencing outcomes and PSR variations (8 mins)

**What happens with a PSR once it is completed?**

**You said earlier that XYZ is the purpose of PSRs. And to what extent do you feel that PSRs achieve this purpose? Why?**

**IF NOT COVERED: To what extent, if at all, do you feel that PSRs influence sentencing outcomes? Why?**

- Do you monitor congruence rates? What does that show?
- Probe: what else influences sentencing outcomes?

**Research and analysis have shown that different groups of children are more likely to receive custodial outcomes.**

**This includes disparities in outcomes for Black children compared with White children.**

**What factors do you think play a role in this disparity?**

- Do you think that PSRs have any role in this? Why / why not?

**READ OUT: As I explained, this interview is part of a wider piece of research which has looked at the variation in the quality and content of PSRs in four case study areas [INTERVIEWER NOTE: WE**

**MUST NOT SHARE WHICH OTHER AREAS ARE TAKING PART TO PROTECT IDENTITY OF PARTICIPANTS]. To do this we designed a tool based on the 2019 guidance and looked at the quality of each anonymised PSR on a number of categories..**

**The categories were:**

- **Structure & Quality**
- **Sources of Information**
- **Seriousness**
- **Offence Analysis**
- **Assessment of Child**
- **Risk Assessments**
- **Dangerousness**
- **Nearing 18**
- **Conclusion**

**I will share some emerging findings in a minute, but based on your experience...**

- Which areas of the report would you expect us to see most variation in quality? Why?
- Are there any areas where you believe we would be likely to see less variation? Why?

**In our study we found most variation in**

- **Sources of information (more variation for Black children – Black LQ lower than White)**
- **Assessment of child (same variation for both ethnicities – Black UQ higher than White)**
- **Risk assessments (more variation for White children – Black Median higher than White)**

**Can you think of any reason why this would be?**

### **Improvements (5-8 mins)**

**In your view, what would help you to produce high quality PSRs?**

- Probe: Guidance, templates, examples of good practice
- Probe for specifics: should they be shorter, longer, differently structured?

**And in your view, what else should happen to ensure that children receive fair sentencing outcomes?**

### **Thank and close (2 mins)**

**Finally, is there anything else about PSRs and their production and use that you would like to add?**



# Annex 3: Our standards and accreditations

Ipsos' standards and accreditations provide our clients with the peace of mind that they can always depend on us to deliver reliable, sustainable findings. Our focus on quality and continuous improvement means we have embedded a "right first time" approach throughout our organisation.



## ISO 20252

This is the international market research specific standard that supersedes BS 7911/MRQSA and incorporates IQCS (Interviewer Quality Control Scheme). It covers the five stages of a Market Research project. Ipsos was the first company in the world to gain this accreditation.



## Market Research Society (MRS) Company Partnership

By being an MRS Company Partner, Ipsos endorses and supports the core MRS brand values of professionalism, research excellence and business effectiveness, and commits to comply with the MRS Code of Conduct throughout the organisation. We were the first company to sign up to the requirements and self-regulation of the MRS Code. More than 350 companies have followed our lead.



## ISO 9001

This is the international general company standard with a focus on continual improvement through quality management systems. In 1994, we became one of the early adopters of the ISO 9001 business standard.



## ISO 27001

This is the international standard for information security, designed to ensure the selection of adequate and proportionate security controls. Ipsos was the first research company in the UK to be awarded this in August 2008.



## The UK General Data Protection Regulation (GDPR) and the UK Data Protection Act (DPA) 2018

Ipsos is required to comply with the UK GDPR and the UK DPA. It covers the processing of personal data and the protection of privacy.



## HMG Cyber Essentials

This is a government-backed Scheme and a key deliverable of the UK's National Cyber Security Programme. Ipsos was assessment-validated for Cyber Essentials certification in 2016. Cyber Essentials defines a set of controls which, when properly implemented, provide organisations with basic protection from the most prevalent forms of threat coming from the internet.



## Fair Data

Ipsos is signed up as a "Fair Data" company, agreeing to adhere to 10 core principles. The principles support and complement other standards such as ISOs, and the requirements of Data Protection legislation.

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## About Ipsos Public Affairs

Ipsos Public Affairs works closely with national governments, local public services and the not-for-profit sector. Its c.200 research staff focus on public service and policy issues. Each has expertise in a particular part of the public sector, ensuring we have a detailed understanding of specific sectors and policy challenges. Combined with our methods and communications expertise, this helps ensure that our research makes a difference for decision makers and communities.

